

THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW HAMPSHIRE

U.S. DISTRICT COURT  
DISTRICT OF NH

Chad E. Austin  
Petitioner,

2020 APR 27 AM 10:53

VS.

FILED

UNITED STATES OF AMERICA  
and  
The Bureau of Prisons  
Respondents,

Case No. CR.98-131-01-M

PETITIONER'S MEMORANDUM OF LAW IN SUPPORT OF 28 U.S.C. § 2241

Now Comes, the Petitioner, Chad E. Austin, herein prose and hereby respectfully invokes this Honorable Court Jurisdiction pursuant to Title 28 U.S.C. § 2241, and request this Court grant relief Requested. And in Support States the Following:

This petitioner was sentenced by Federal Judge Steven J. McAuliffe on 11/12/1999. The Judge used U.S.C. § 3584, 3553 and U.S.S.G. 5G1.3(c) Application Notes 3 and 4, U.S.S.G. § 1B1.3, Under that years Guidelines. (Pre-Booker - Mandatory Sentencing Guidelines.) The Sentencing Transcripts read clear. The Judgment and Commitment is clear. The Docket Entries are clear.

Judge McAuliffe started Petitioners Federal Concurrent Sentence's on 11/12/1999 and the record Shows it clear as Day every where.

The Federal Sentence is Illegal and that Fact Can not be over looked. Applaction note 4 of 561.3(c) is the problem.

Its the Bureau of Prisons problem because thay have broken the law and inso doing that have Comettred a Crime themselves. One that can Not be covered up.

Petitioners Federal Sentence reads clear and even if its not legal it Started on 11/12/1999. (EFFECTIVE THIS DATE) Thats what Judge McAuliffe Says and dose on 11/12/1999. "Effective this date" means just what it Says, nothing else.

The B.O.P. has Started this petitioners hole Federal Sentence Ten years after it Started. Thay Start the hole 222 month Sentence on 06-02-2009. That date is not in petitioners Sentencing transcripts, JEC or Docket ENtrys. None of petitioners Court paper work has that date on it. The B.O.P. has broken the law truly and thay think thay have "TRUE Sentencing athority". Thay are WRONG and thay know it.

This petetioner has NEVER lossed any "Good Conduct time", Not EVER! 11/12/1999 to date. 222 months is  $18 \frac{1}{2}$  years Starting on 11/12/1999. Petitioners Federal Sentence was over in 2016.



This case is clear cut and No case law is needed to prove them Facts. This petitioner is being illegally Confined truly and asks the Court For IMMEDIATELY RELEASE because it is warnted. The ~~SIX~~<sup>SIX</sup> exhibits enclosed prove it behind any doubt at all.

And I ask the Court even with the Crazy Wrong Computation the B.O.P. is giving how do they have the "Expiration Full term Date 12-01-2027?" By their Math Im 58.3 percentage of Full time Served. And why is there no "CC" on count ONE the Split Sentence? Thats the proof of a true Criminal Charge.

I pray this court grants this 2241 petition So that I can move forward in life with the plans Ive been making For re-entry For many years now.

Respectfully Submitted.



Chad Austin #02205-0419  
F.C.I. Berlin  
P.O. Box 9000  
Berlin, NH 03570

CERTIFICATE OF SERVICE

I, CHad Austin, hereby certify that a true and correct copy of the foregoing  
Petition for Writ Habeas Corpus and Memorandum of Law has been place in this U.S.  
Mail for delivered on this 4 day of 20, 2020 to all interest  
parties:

Respectfully Submitted



Chad E. Austin

#02205-049

FCI Berlin

PO Box 9000

Berlin, NH 03570